UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X	DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/30/2022
LATERAL RECOVERY, LLC et al.,	: :	
Plaintiffs,	:	
	:	21-cv-9336 (LJL)
-V-	:	
	:	<u>ORDER</u>
CAPITAL MERCHANT SERVICES, LLC et al.,	:	
Defendants.	: :	
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LEWIS J. LIMAN, United States District Judge:

Defendants have filed three separate motions to dismiss an amended complaint brought against them. Dkt. Nos. 21, 24, and 26.

For the reasons stated in a forthcoming Opinion and Order, the motions to dismiss are GRANTED IN PART and DENIED IN PART. The Court grants the motions to dismiss on the common law fraud claims. The Court denies the motions to dismiss as to the RICO conspiracy claim and the substantive RICO claim.

The Clerk of Court is respectfully directed to close Dkt. Nos. 21, 24, and 26.

SO ORDERED.

Dated: September 30, 2022 New York, New York

LEWIS J. LIMAN United States District Judge

USDC SDNY